



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor

Ted Stewart  
Executive Director

James W. Carter  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340  
801-359-3940 (Fax)  
801-538-5319 (TDD)

*See Cases.*  
*Bergosh*

0006

July 31, 1996

Neil Simmons  
Bureau of Land Management  
San Rafael Resource Area  
125 South 600 West  
Price, Utah 84501

Re: Notice of Intention to Commence Operations, Jerry Bergosh, Double J #1 Project, Emery County, Utah

Dear Mr. Simmons:

Thank you for forwarding the Notice for Jerry Bergosh's, Double J #1 Project, located in Section 19, T26S, R13E, Emery County, Utah. Your agency's designated number for this project is UTU-75041.

The Division has evaluated the above mentioned Notice under the Small Mining Operation section of our Minerals Rules. Under our rules, sand and gravel operations are exempt. This proposed "blow sand" operation falls under this exempt category; therefore, we will not regulate mining at this site. Thank you for forwarding this information and please call me if you have any questions regarding our exemption.

Sincerely,

Anthony A. Gallegos  
Senior Reclamation Specialist

jb  
cc: Jerry Bergosh, Operator  
Bergosh.ltr



0006

To: Tony Gallegos  
From: Neil A. Simmons

Exempt

SR/PR REC'D MAY 13 1996

(For BLM Use) Serial No. UTU-75041

NOTICE  
OR

PLAN OF OPERATIONS

(For Operations Proposed Under the 43 CFR 3809 Regulations)

Instructions: Circle "Notice" (above) if proposed mining activity within the project area will disturb a total of five (5) acres or less during the calendar year. Circle "Plan of Operations" if disturbance will exceed five acres during the calendar year or if operations are within one of the specially designated areas described in 43 CFR 3809.1-4(b). Complete the form in as much detail as possible. Additional sheets may be used if necessary. Use maps or sketches where appropriate. A review of the 43 CFR 3809 regulations should be conducted prior to completion of this form.

Operator Information:

<u>Name</u>	<u>Address</u>	<u>Telephone</u>
Jerry Bergosh	1961 Scenic Drive	Salt Lake City, UT 84108 801-486-1430

Claimant Information (If different than operator):

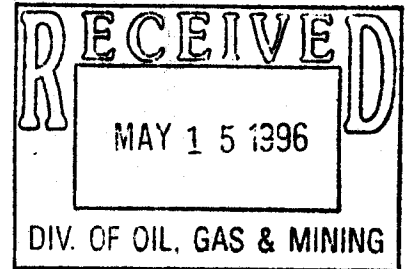
<u>Name</u>	<u>Address</u>	<u>Telephone</u>
as above		

Claim Information (Claim names, circle claim types (Lode, Placer, Mill Site, Tunnel), BLM Serial No.):

Double J #1, UMC 359434

Location of Proposed Activity (i.e. Township, Range, Section):

T26S R13E Section 19 W $\frac{1}{2}$  of the NW qtr.



Describe Existing Disturbance and Structures or Indicate on Maps or Sketches (Mine and Mill Facilities, Workings, Tailings, Dump Areas, etc. It may be to your advantage to document existing disturbance with photographs):

Existing disturbances include the presence of the Lower San Rafael Road #1010 (an Emery County Road) which cuts through this blow sand deposit. The migratory nature of the blow sand deposit buries any growing vegetation and acts to disturb new growth whenever there is wind action. No existing structures were observed or appear to be present with the exception of the Jeffery Well livestock operation approximately 1 mile to the south.

Proposed Operations: Describe the entire proposed operation, including all surface disturbing activities (road construction, drilling, trenching, backhoe and bulldozer exploration, mining, waste disposal, etc.) List all mechanized earth-moving equipment to be used during the operation and state if explosives are to be utilized. Describe and furnish a map or sketch, when applicable, showing the locations and size of areas where surface disturbances are proposed, including existing and/or proposed routes of access. Calculate the total acreage proposed for disturbance (1 acre = 43,560 sq. ft.)

Attached is an enlarged 1:24,000 Topo map of Gilson Butte area showing proposed location. A blow sand deposit intersects and drifts across the Lower San Rafael Rd #1010 at a location 3/4 mile NNW of Jeffery Well. I propose to remove sand along side this roadway and the initial area will be 20'x 20'. Removal will use either manual shoveling into a rental truck or a front end loader to skim off the top several feet of the blow sand deposit and load into a dump truck. Discussions with the Emery County Road Department (personal communication w/Rex Funk, Supervisor on 5/3/96) in Castle Dale have authorized removal of blow sand from the county roadbed; this discussion was requested by BLM staff in Price. Total area of disturbance in the first year of operation will not exceed 0.1 acres. Note that the migratory nature of blow sand is such that the deposits listed on the 1988 map have moved North from the location marked as #1 and now intersect the road in the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 19, marked on map with a #2.

No road construction, drilling, trenching, waste disposal or use of explosives is planned. No closure or blockage of the County Road #1010 will occur and loading will only take from 1 to 4 hours. Truck access will be confined to existing routes; specifically turn off Highway 24 onto #1010 south to the Double J claim site, load and return to Highway 24 along the same route (#1010 also known as the Lower San Rafael Road).

The attached letter and financial information is considered proprietary and confidential. I treat this information as a trade secret and identify it as so.

Period of Operation: From May 1996 To Nov 1997

Proposed Reclamation: Describe the proposed reclamation procedures and other measures to be taken to prevent unnecessary or undue degradation of the lands, including measures to be taken if a period of nonoperation is anticipated.

The present blow sand has little to no existing vegetation due to migratory nature of this type of deposit. Four to thirty cubic yards per removal is expected several times per year. Raking and tapering of the hole will be performed to minimize the visual impact of digging until new windblown material is blown into the area of removal.

I will complete all necessary reclamation of areas disturbed during the course of my operations to the standards described in 43 CFR 3809.1-3(d) and that reasonable measures will be taken to prevent unnecessary or undue degradation of the federal lands during operations.

Signature of Operator: Jerry Berger Date 5/3/96

#### NOTICE TO OPERATORS:

1. A notice submitted in relation to the 43 CFR 3809 regulations does not require approval from the BLM. However, notification of such activities shall be made at least 15 calendar days before commencing operations. Receipt of a notice will be acknowledged promptly. Approval of a submitted plan of operations is required from the BLM prior to commencing operations. The BLM will promptly acknowledge receipt of a submitted plan and will notify the operator of the status of the plan within 30 days of receipt of the plan.
2. Submittal of a notice or approval of a plan of operations does not constitute certification of ownership to any person named as owner herein, nor does it constitute recognition of the validity of any mining claims named herein.
3. Generally, information that could be considered proprietary is not necessary to fulfill notice or plan of operations requirements. However, information and data submitted and specifically identified by the operator as containing trade secrets or confidential or privileged commercial or financial information should be attached to a separate page and cited in the text of the notice or plan of operations. This information will be filed separately and will not be available for public inspection.
4. Failure of operator to file a notice or a plan of operations, as required by the 43 CFR 3809 regulations, will subject the operator to being served a notice of noncompliance or enjoined from the continuation of such operations by a court order until such time as a notice or plan is filed with the BLM.
5. The completed notice or plan of operations should be filed with the appropriate resource area office. Their addresses are as follows:

San Rafael & Price River Resource Areas  
900 North 700 East  
Price, Utah 84501

Grand Resource Area  
P. O. Box M  
Moab, Utah 84532

San Juan Resource Area  
435 North Main Street  
Monticello, Utah 84403

5223T

AREA OF SURFACE  
MINING WILL BE  
ADJACENT TO THE  
LOWER SAN RAFAEL  
ROAD IN TRACT 2

DOUBLE J #1  
consist of  
those 40 acre  
tracts numbered  
1,2,3 & 4.

5249T

SRI PERFECT MAY 13 1996

⊕ 1-42

20

Corral

Jeffery  
Well

⊗ 5329T

⊗ 5490T

5314T

⊗ 5455T

5400





A. Proposed silica sand mine site, Jerry Bergosh, Notice UTS-73780 in T.26S., R.13E., Section 19. 5-16-96.



B. Closeup of the north side of the sand dune, Jerry Bergosh, notice UTS-73780 in T.26S., R.13E., Section 19. 5-16-96.



C. Top of the sand dune, Jerry Bergosh, notice UTU-73780 in T.25S., R.13E., Section 19. 5-16-96.



D. East side of the sand dune, Jerry Bergosh, notice UTU-73780 in T.25S., R.13E., Section 19. 5-16-96.

